

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:07-mj-104-TFM
)	
KABIR BHAIYAN)	

PETITION FOR ORDER DIRECTING THE UNITED STATES
MARSHAL TO RELEASE CUSTODY OF PRISONER

Comes now the United States of America, by and through Leura G. Canary, United States Attorney and the undersigned Assistant United States Attorney, both for the Middle District of Alabama, and moves this Honorable Court for an order directing the United States Marshal, Middle District of Alabama, to release from their custody Kabir Bhaiyan, into the custody of Blake Diamond, ICE, and/or Les Brown, U.S. Attorney's Office, from December 12, 2007, through March 12, 2008, so that said agents can take such prisoner into custody without the necessity of the presence of a Deputy United States Marshal. We further move the Court to enter an order directing Blake Diamond, ICE, and/or Les Brown, U.S. Attorney's Office, to return said prisoner into the custody of the United States Marshals Service when they have finished with him.

Respectfully submitted this the 11th of December, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Matthew W. Shepherd
MATTHEW W. SHEPHERD
Assistant United States Attorney
131 Clayton Street
Montgomery, Alabama 36104
334.223.7280
334.223.7135 fax

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CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys on record.

LEURA G. CANARY
UNITED STATES ATTORNEY

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ORDER

Upon consideration of the government's motion for release of prisoner filed on December 11, 2007, and for good cause, it is ORDERED that the motion be and hereby is GRANTED.

It is hereby ORDERED that the United States Marshals Service release custody of Kabir Bhaiyan, to Blake Diamond, ICE, and/or Les Brown, U.S. Attorney's Office, on December 12, 2007, through March 12, 2008, so that said agents can take such prisoner into custody without the necessity of the presence of a Deputy United States Marshal.

It is further ORDERED that Blake Diamond, ICE, and/or Les Brown, U.S. Attorney's Office, return said prisoner into the custody of the United States Marshals Service when they have finished with him.

DONE this the _____ day of December, 2007.

TERRY F. MOORER
UNITED STATES MAGISTRATE JUDGE